

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

UNITED STATES OF AMERICA	)	
	)	Case No. 1:24-cr-123-1
v.	)	
	)	Judge Collier
	)	
GARRY LEBRON HAYES	)	Magistrate Judge Dumitru
	)	

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**ORDER**

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Magistrate Judge Mike Dumitru filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not-guilty plea as to Count Two of the two-count Indictment; (2) accept Defendant's guilty plea as to Count Two; (3) adjudicate Defendant guilty of Count Two; (4) defer a decision on whether to accept the plea agreement (Doc. 25) until sentencing; and (5) order that Defendant remain on bond under appropriate conditions of release pending sentencing in this matter. (Doc. 32.) Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Dumitru's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge's report and recommendation (Doc. 32) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not-guilty plea as to Count Two of the Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count Two is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count Two;
4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and

5. Defendant **SHALL REMAIN** on bond pending sentencing, which is scheduled to take place on **September 10, 2025, at 2:00 p.m. [EASTERN]** before the undersigned.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**